THE HOLLOW HORN

tion,) and we believe it to be confined to

the nothern regions of America. In

some parts of Michigan it is very common.

with a gimlet near the base of the horn,

the hole rather slanting upward. If hu-

mor appears, use a syringe and warm

and attribute our freedom from it to keep-

ing our stock under cover or in sheltered

TEXAS ANTS.

ants, all sizes and ages. They are sup-

plied with large breeders similar to the

One circumstance I will relate to show

sible to fire or sword.

has been sold.

ondent of the N. Y. Scientific

yards during winter."

count of the Ants of Texas:

WARREN, TRUMBULL COUNTY, OHIO, WEDNESDAY APRIL 18, 1855.

WHOLE NO. 2011

# Poetry.

### MISANTHROPIC HOURS.

[The following beautiful lines obtained the prise which was offered by the Editors of the Boston Recorder and Telegraph for the best poetical production during the year 1825. The premium was awarded by a committee appointed for that purpose, to Mr. Nathaniel P. Willis, then a member of Yale College, as the an-

I sometimes feel that I could blot
All traces of mankind from earth—
As if 'twere wrong to blast them not,
They so degrade, so shame their birth.
To think that earth should be so fair,
So beautiful and bright a thing:
That nature should come forth and wear
Such glorious apparelling:
That sky, sea, air, should live and glow—
With light and love and hollness,
And yet men never feel or know

And yet men never feel or know

How much a God of love can bless

How deep their debt of than fellow

How deep inter eee or deantement.

I've seen the sin go down, and light
Like floods of gold poured on the sky—
When every tree and flower was bright,
And every pulse was beating high,
And the full sout was gushing love,
And then, when men would soor, if ever,
To the high homen of thought and soul—
When life's degrading ties should sever,
And the free spirit spurn control—
Then have! I seen, (oh how my cheek
Is burning with the shame I feel,
That truth is in the words I speak)
The seen my fellow creatures steal

I've seen my fellow creatures steal Away to their unhallow'd mirth, As if the rereiries of earth Were all that they could feel or share, And glorious heaven were scarcely worth Their passing notice or their care.

I've said I was a worshipper A wough's shrine—jet even there
At wough's shrine—jet even there
I found unworthiness of thought,
And when I deem'd I just had caught
The radiance of that holy light
Which makes earth beautiful and bright—
When eyes of tre their flashes sent,
And rev lies hapt'd alemans. And rosy lips look'd elequent— Oh, I have turn'd and wept, to find Beneath it all a trifling mind.

I was in one of those high halls,

I was in one of those high halls,
Where genius breathes in sculptur'd stone,
Where shaded light in softness falls
On pencil'd beauty. They are gone.
Whose bearts of fire and hands of skill
Had wrought such power—but they spoke
To me in every feature still,
And fresh lips breath'd and dark eyes weks,
And crimson checks flushed glowingly
To life and motion. I had knelt
And wept with Mary at the tree
Where Jesus suffered—I had felt
The warm blood rushing to my brow
At the stern buffet of the Jew—
Had seen the God of glory bow,
And bleed for sins he never knew—
And I had wept. I thought that all
Must feel like me—and when there came
A stranger, bright and beautiful,
With step of grace and eye of flame,
And tone and look most sweetly blont
To make her presence eloquent.
Oh, then I look'd fur tears. We stood
Before the seene of Calvary—
I saw the piercing spear—the blood—
The gall—the writhe of scopy—
I saw his quivering lips in prayer,
The the foreign them.

I saw the piercing spear—the blood—
The gall—the writhe of sgony—
I saw his quivering lips in prayer,
"Father forgive them"—all was there.
I turn'd in bitterness of soul
And spoke of Jesus. I had thought
Her feelings would refuse control;
For woman's heart, I knew, was fraught
With gushing aympathies. She gar'd
A moment on it carelestiy.
Then colding curn'd her lip, and prais'd
The high priest's garmont! Could it be
That look was meant, dear Lord, for thee

Oh, what is woman—what her smile— Her lips of love—her eyes of light— What is she, if her lips revile The lowly Jesus ? Love may write

His name upon her marble brow, And linger in her curls of jet-The light apring flower may scarcely be Beneath her step, and yet—and yet—Without this meeker grace, she'll be A lighter thing than vanity.

# Choice Miscellany.

## A SAMPLE CLERK WANTED IN A

Jem B. is a wag. A joke to Jem is both food and raiment; and whenever years and more ago. Land which formand wherever there is an opening for fun.

Jem was recently in a drug store, when a youth apparently fresh from the 'mouning,' entered the store and at once accosted Jem, stating that he was in search of a ficient manure; other still, confess an en-

'What kind of a job?' inquired the wag. 'Oh, a'most any thing, I want to git a kind of a ginteel job ; I'm tired o'farmen,'

and kin turn my hand to most any thing. healthy man, as sample clerk.'

·What is the wages ?'

man in that situation 'What's a feller have to do?'

'Oh, merely to test medicines, that's all. It requires a stout man, one of good con- termed beeves, in the New York market stitution, and after he gets used to it, he is about 700 pounds, and sheep about 50 doesn't mind it. You see we are very par- pounds. ticular about the quality of our medicine | The average live weight of the heaviest and before we sell any, we test every drove of beeves of 100 in number ever parcel. You would be required to take brought to this market, was 2,067 pounds, some six or seven ounces of castor oil some weighed from dry feeding, in Illinois days with a few of rhubarb; also, Cro- last spring. ton oil, and similar preparations. Some The mode of selling cattle in New days you would not be required to take York, is at so much per pound for the esanything; but as a general thing you can timated weight of meat contained in the count upon say from six to ten doses of four quarters. The estimation is made something daily. As to the work, that upon the live weight of cattle as follows: does not amount to much; the testing de- A drover in buying a lot of grass-fed partment would be the principal labor re- common stock in Illinois, should never quired of you; and, as I said before, it calculate to get an estimate of over one ization to endure it; but you look hearty, is, if the drove averages 12 cwt., they and I guess you would suit us. That will make 6 cwt. of meat each. voung man, pointing to a very pale-faced | Medium beeves may be estimated at 54 present, has filled the post for the past or 57 pounds. Extra good, large and fat, two weeks; but he is hardly able to stand from 58 to 62 pounds per cwt. it. We should like to have you take In the Boston market, the weight right hold, if you are ready, and you say togenerally estimated upon "five quarters,"

Here verdant, who had been gazing in- age, 64 pounds per out. tently upon the slim youth, interrupted In New York not one bullock in 10,000 him wi h-

N.no, I guess not; not to day, any price to the butcher .- N. Y. Tribuns. how. I'll go down and see my aunt, and GINGER-BREAD .- Three pounds ef I o'clude to come, I'll come up to-mor- flour, one pound of butter, three-quarters row and let you know."

As he did not return, it is to be sunposed he considered the work too hard.

BEN. McCullough, the Texas ranger, one do. cloves, has been appointed Lt. Colonel in one of Shallow Plowing operates to impoverthe four new regiments.

# For the Farmer.

### A CHAPTER ON POTATOES

The common Irish potato, which is new cultivated extensively in all the civilized countries of the world and which has become with us almost as importana stat ple of production as our corn or wheat, is not, as is supposed by many, a native of Ireland, but was first discovered in the wilds of South America. It has been found in an indigenous state among the mountains and steppes of Chili, Peru, Ecuador, New Grenada, Buenos Ayres, Uraguay, and more recently in Mexico, on the banks of the Orizaba river. It was first introduced into spain from the neighhood of Quito, in the early part of the sixteenth century, and then spreading rapidly throughout Italy and the south of Europe, soon found its way into Germany. The potato was cultivated in Ireland before its value was known in England, and it is eaven related that it was accidentally introduced into the latter country, in consequence of the wrecking of a vessel on the cost of Lancashire, which had a quantity of them on board. The period of its introduction into our

country is not exactly known, although it was one of numerous other products ordered to be imported by the Governor & Company of Massachusetts Bay, in the year 1629. It was not, however, generalle known and culivated either in Britain or North America' much before the middle of the 18th century. For a long time it was considered by the higher classes as a food fit only for poor people' who could not afford to buy bread.

In the year 1853, there was raised in the United States about one hundre and six million bushels of potatoes, of which one third were of the sweet or native variety. Valuing them at the rate of 40 cents a bushel, these would be worth upwards of forty-two millioudollars. Mr. Fling, the Secretary of the state

Board of Agriculture, says, in his annual

report, that although the potrto crop has turned out well in New England during the past year, so far as the disease is concerned, yet there is no doubt that, for ne unknown reason, the quantity of vield per acre is annually diminishing. In Massachusetts it is now far less then it was in former years. The experience of the greater part of our farmers shows that, as a general thing, two or three times as many hills of potatoes are now required to fill a bushel basket, as would have been required for the same purpose ten erly yielded two hundred and fifty and three hundred bushels, now produces but a hundred and fifty. Some allege as a reason for this that the soil of the State is fairly exhausted: others attribute it to the neglect of the farmers to provide suftire ignorance of the cause.

## FACTS ABOUT CATTLE.

It is a fact that all domestic animal can be improved in size and value. One Well, we want a man, a good strong hundred and fifty years ago, the average weight of cattle at the Simithfield Market was not over 370 pounds, and that of Wages are good; we pay \$1,000 to a the sheep 28 pounds Now, the average weight of the former is over 800 pounds, and of the latter about 80 pounds.

The average weight of cattle, properly

requires a person of very healthy organ. half here of the live weight there. That

slim-looking youth, who happened to be or 55 pounds per cwt. Good beeves at 56

so, we'll begin to day. Here's a new hat is the product of meat, fat and skin. barrel of castor oil just come in ; I'll There the cattle are generally weighed, and the product estimated upon an aver-

goes upon the scales to determine his

nound of sugar, one-eighth of ginger, one quart of molasses, (sugar house is the best,) one table spoon full of cinnamon,

ish the soil, while it decreases production.

## Trial of Rollin A. Leet, We find the following remarks upon

ADMINISTERING POISON! this disease in an article translated from IN THE COURT OF COMMON PLEAS, the French for the Farmers' Companion. TRUMBULL COUNTY .- State of Ohio vs. "This disease is no where mentioned in European books; we find no mention Rollin A. Leet, for Poisoning. March of it in Youatt and Martin (American edi. 20th, 1855.

CHARGE OF THE COURT.

listened to this case thus far, it only re-

Gentlemen of the Jury-After having

The cause of it, we are inclined to think, mains for the Court to give to you the is excessive cold and freezing; it being principles of law, and rules of evidence similar to the gangrene, which ends in that are applicable to the testimony, bethe loss of fingers and toes to those who fore you shall retire to the final discharare exposed in winter. The pith of the ge of your duties. horn-the part affected-has but a slight I may be permitted to say here that it circulation of blood, and, consequently, anything I may say, or in any expres-When frozen, sion I may use, I do not desire to be unit dies, and gradually decomposes, but derstood as intimating any opinion of being excluded from the air, the diseased the facts of the case. Sufficient for my action is slow and somewhat different purpose if I shall give you the law correctly from that in an exposed muscular mem- and I desire to leave the the entire respons brane. In all cases which have come bility of finding as to the facts in the case, under our observation, the horn is cool, with with yourselves to whom that duty propa peculiar feel; the animal is generally erly belongs; indeed, after having listenstupid, careless of its feed, and not thri- ed attentively as you have to all the eviving; but we have heard of one case dence and the thorough and able arguwhere unsual heat existed in the horn, ments of Counsel, I could not aid you in probably from induced inflamation. If that respect if I would. allowed to continue, without relief, the First, and in general, it will be your bones of the head, and thence the head, duty under the law as I shall lay it down will be apt to become diseased, and death o you, to ascertain from the evidence ensue. The best remedy is to bore a hole and from that alone, what is the truth in

the end of your responsibility. What may water, and wash out the horn ; but if there be the consequences of that finding is of is none, and the horn seems firm, try a no moment to you. Your responsibility little higher up. Many persons use a is commensurate with your duty, and mixture of vinegar, red pepper or other irritating substance, but we scarcely think given in the evidence. them necessary, except in very bad cases. Then to the case; and in the first place We should then inject a solution of chlomay say to you that the law, which preride of lime for a few days; and a little sumes that every citizen over whom its vinegar alone afterwards. Weak corroprotection is extended is worthy of that sive sublimate and water might be careprotection, assumes that whoever comes fully tried. However, boring is generalbefore you charged with crime is innocent, ly sufficient to effect a cure. We have and it is incumbent upon the prosecution never had a case originate on our farm, to overcome that presumption so fully

relation to the charge preferred against the

prisoner in this indictment; and that is

ty charged, before you will be warranted in bringing in a verdict of guilty. Let us see, what is the offence with American writing from Dewitt county, the time when he was brought before you Texas, gives the following interesting ac- he was only charged with an offence, and These ants have no uniformity of size, some being large enough to carry a grain from your verdict that we shall learn of Indian corn, while others are no larger whether that presumption has been overthen a flee: all the different sizes may be

hat there shall not be left in your minds

a rational doubt as to the guilt of the par-

come by the evidence. seen in the same train, the larger ones "The section of the law under which he turning down the leaves, and the smaller is charged provides "that if any person or to their den. In color they are a dark red. In shape they resemble the comon the person or persons to whom the same large red ant, but have a large head; shall be administered, or to do him, her or they carry their burdens on their backs, them an injury; or if poison shall be prewhich are supplied with several sharp pared with the intent aforesaid, and the horns to keep their loads in place; their same shall be taken by any person or persharp cutting teeth resemble a pair of sons, whereby an injury to such person shears in shape. I have seen four engaged or persons may be done; the person or carrying a grain of corn up the inside of persons so offending, their aidors and a barrel, and after they had it clear up abettors shall be deemed guilty of a mishill, one would take it on his back and demeanor, and upon conviction thereof, move off for the den. Their instict is truly shall be imprisoned in the peniteutiary surprising; they live in towns or clusters and kept at hard labor, not more than fifof dens or cells some cells are large as a teen nor less than three years.,"

flour barrel, and contain a half bushel of You will perceive that there are two offences embraced in this section, and the Grand Jury have embraced both clawbee; they burrow some times to the depth tes by saperate counts in the indictment; of ten feet, hence they are almost inaccesthe three last counts being framed upon the first clause of the statute, and the their numbers; I had a nursery of fruit four first upon the latter clause.

Then, as you will see by a recurrence trees attacked by them, and I have conto the indictment which you will have cluded to try burning them in train; before you, (and the counts are numberone week, still the stream continued, they ed so that you will have no difficulty in referring to them) the 5th, 6th, and 7th kinds escape them, such as the fig, the counts charge the offence in the first claumulberry, the pecan, and some few others. se of the statute in this form, that Rollin They are inoffensive, any farther than A. Leet, maliciously, four grains of their teeth are concerned, have no sting: strychnine a deadly poison, administered dung-hill fowls are fond of them, but as few are destroyed; I have tried to destroy them for four years, and have failed: was so injured, &c. That is the subs-I wish some Yankees would give them a tance of the fifth count, and the sixth is pop. Sometimes one den will strip a like unto it with some slight varriation; peach tree in a night; a successful inventhat the poison was prepared to injure tion for their destruction would prove lubut not to kill; and the seventhalso is not greatly dissimilar I need not read them To CLARIFY MAPLE SUGAR .- The seaas you will have the indictment before son is coming on when the manualcure of maple sugar will commonce; and for the

Then to establish the crime what is it information of those who like to make a necessary for the prosecution to satisfy good article, we commend the method you of by evidence, before you can conwhich an intelligent Vermont farmer pract vict under the 5th, 6th, and 7th counts ? It is charged that Rollin A. Leet ma-

tices for the purpose of removing the coloring matter of the sap, and which ren- liciously administered poison to Homer ders the sugar nearly as white as common M. Leet, on a certain day, with the incrushed sugar. His method is to filtrate tention of destroying his life and of injuall the sap before boiling, through a hop- ring his person. It is charged to have been per or box of sand, which, he says, takes done on the 17th day of August, but the out, not only the dirt, but all the stains de- day is immaterial; any time before this rived from leaves, tubs, crums of bark, indietment was found would be sufficient. and all other coloring matter that can It is necessary that the article proved prevent the sugar from being pure white. to be administered should be strychnine, DANIEL WEBSTER'S Marshfield Farm of no consequence whether the quantity such evidence, as that derived from pos- I have been requested to state to you.

though the indictment mentions a certain | commented upon ; but you will bear in quantity. It must be proved that Rollin the heinousness of the crime, and that A. Leet administered the poison; but to mind that circumstantial evidence really do this it is not necessary to show that depends upon positive evidence.

I will proceed to the other branch of proof in the case supposed should fail the offence; indeed I may say to the to be proven, or that you should be left other offence; for there are two offences in doubt whether it was proven or not,

The second clause of the statute makes ing. The circumstances must be estabt criminal for a person to prepare poison lished by positive evidence. If the cirwith the intent to destroy human life or cumstances are not established by posiinjure the body of another person, if tive evidence, and so established that some other person than the one for whom you have no rational doubt about them, it was prepared shall take such poison and you should lay them aside, and only consider such as are so proved, and then

Rollin A. Leet mixed four grains of strych- strong. Again, all the circumstances nine in a certain medicine called Hoof- relied upon must tend to prove the guilt land's German Bitters, knowing it, the of the person charged. They must be strychnine, to be a deadly poison, and harmonious also. A circumstance which intending by it to injure Homer M. Leet, does not tend to prove the guilt of the and that Elsie A. Leet not knowing it to person charged, might go toward provbe so prepared, drank it, whereby she ing his innocence-it might go far towas injured; and some of the counts ward overthrowing the circumstances charge that she died thereby. To con- relied upon. Truth, every truth, and tions. The first is, that the poison was monious, and they must be reconcilable of the kind named in the indictment, viz: only upon the hypothesis of the guilt of Strychnine, and that it was prepared the prisoner. with the intent to destroy the life, or in. When you rely upon circumstantial jure the person of Homer M. Leet, and evidence, ( and you have to rely upon it under the counts which mention the mainly to prove all the propositions which named in the indictn ent to wit, Elsie A. ciled with any other hypothesis than that it will be your duty to reconcile thom. Leet; and she must by means of it have of his guilt. If they can be reconciled

Then how say you under this branch true one. And such is the humanity of of the case, from the evidence. Was our law that it will not suffer any person strychnine prepared with the intention to be punished unless the circumstances of destroying the life, or of being ad- are not reconcilable with any other hyministered to Homer M. Leet for the pothesis than that of the party's guilt. It purpose of destroying his life, or of do- is better that many guilty should go uning him an injury? If you cannot find numished than that one innocent person that fact, there is an end of this branch should suffer. Suppose in the case of of the case. But if you find it was thus the watch, that two persons were seen to prepared, was it then taken by the per- enter the room, and one was charged, son named in the indictment, Elsie A. would not the circumstances be consistent Leet? and next, did she by this means with the hypothesis that the other was lose her life? If she did, the crime, or the guilty person? as the lawyers have called it, the "cor- One more proposition must obtain .pus delicti" has been shown, and the re- The circumstances must not only point maining question would be, did Rollin toward the guilt of the party, be harmo-A. Leet prepare the poison with the in- nious, and reconcilable only with the hytention I have indicated; and if you are pothesis of his guilt, but they must besatisfied that the poison was thus pre- sides be sufficient to establish his guilt. pared and taken, and that it was pre- If they are not sufficient to establish in pared by the prisoner, you must return your mind that he is guilty, you ought a verdict of guilty, otherwise you must to acquit. This is, however, very nearfind the verdict of not guilty. This, I ly like another rule I have given, for if you are to try, and what propositions are be reconcilable with the hypothesis of necessary to be shown by the prosecu- his innocence. tion under the indictment.

We will recur for a few moments .- which you must judge the evidence .-Having seen what in law it is necessary You will see that when a conviction is to be shown to constitute the crime for obtained upon such principles, the Court, which this individual is indicted, it will the Jury and the community will be as be your duty to weigh the evidence you certain of the guilt of the criminal as if have heard, and determine whether i it were proven by positive evidence. establishes these propositions. Here the I will not further allude to these prin-Court can give you no further aid than ciples than to say that they are applicato enumerate to you the principles of ev- ble to all the circumstances relied upon; idence which relate thereto.

There are in general, two kinds of ev- evidence under either of these offences, what he sees and hears, and takes knowl- the first offence or the second. And here the testimony may bring forth.

chain of facts necessary to constitute the

then that proof would be good for noth-

restances are proven, and if proven,

may be the very hypothesis which is the

These are the general propositions by

and if, when you apply these rules to the

Under the 5th, 6th, and 7th counts it

Under the others, that Rollin A. Leet

ministering it to Homer M. Leet for the

administerd it with his own hand. If Take the case alluded to in the arguhe procured it to be done, and another ment-that of the watch left in a room, hand actually administered it, it was his no person there when it was left, one person seen to enter, no one else near it,

But it is not sufficient to prove that he and then when the room was next endministered the poison alone. It must tered, the watch gone. The point sought have been administered with an intention; to be established was that the watch was the intention to take the life or to injure stolen by that individual. The facts that the person of Homer M. Leet, the person the watch was left in the room, that the to whom it was administered. Then, to room was empty, that the person was repeat,-to constitute the crime, the de- seen to enter the room and leave it, and fendant must have administered the poi- that no other one entered, and that afson, and with the intention to destroy the terward the watch was gone. All these life or injere the person of Homer M. facts relied upon as circumstances to fas-Leet. Now if he did that, he is guily of ten conviction upon the prisoner charged, the offence charged in these counts of the have to be established by positive eviindictment, but if he has not done that, dence. Now suppose any one of the and all of that, he is not guilty.

To cover this case, the indictment putting the proven circumstances togethfound by the Grand Jury, charges that er, see if they make a case sufficiently stitute this offence it is necessary for the all truth, is and forever must be harmoprosecution to establish certain proposi- nious. The circumstances must be harmanner of the preparation, it would be you must establish before you can probe prepared, and prepared with the in- whether they point to the guilt of the tention charged; and being thus prepared party charged, whether they are harmoit must have been taken by the person nious, and whether they can be reconsustained an injury, or become sick, or with any other hypothesis, that perchance

idence - positive and circumstantial. - you find that any one of the propositions Positive evidence is that which we take given as necessary to be proven in order cognizance of by the senses, which we to constitute the crime is not proven, you see and hear. When a witness tells should acquit the prisoner, either upon edge of by his senses, it is denominated it may not be inappropriate again to enupositive evidence of such facts; but the merate the propositions to be established. worth of that evidence or its credibility lepends upon the character of the witness must be proven that Rollin A. Leet adas you learn it from testimony or from his migistered poison, and the kind of poison appearance on the stand, upon the oppor- mentioned in the indictment, to Homer unities he may have had to see and M. Leet, with the intention of injuring know,-upon the accuracy of his recol- him, or of killing him. lection as it may be evinced by his manner. - and upon circumstances which prepared poison with the intention of ad-

But many things in relation to such purpose of injuring him, and that that crimes as are usually committed in se- poison was taken by Elsie A. Leet, and cret, can only be proved circumstantially; that by reason of her taking this poison, and often times as great a degree of cer- not knowing it to be such, she became but the quantity is immaterial. It is tainty can be arrived at by means of sick, or was injured, or died. were four grains or half an ounce, al. | five evidence. This has already been that in proving the offence, what has been If you find him guilty upon some of the

called the "corpus delicti," a degree of evidence is required commensurate with the administration of the poison must have been with the intention of doing the injury charged, in the one case, and in he other that it was prepared with this

If you will recur to the principles I have given, you will see that all this is mbraced in them. For of course, the nore heinous a crime is, the more reugnant it is to our nature to believe that it has been committed: but this does not change the rule. I have said there must e sufficient evidence to establish the fact, and when established beyond the existence of a doubt, it is the Jury's duty to find it so, no matter how heinous it is.

I do not know as it is necessary for ne to say anything more to you in general upon the nature of the law applicable o this case, only to admouish you to look well to it in all its several parts.

Perhaps I ought for the purpose of ilustration to refer again to the first charge n that of administering poison to Homer M. Leet. It is claimed by the prosecution that they have proven this. On the other hand the defendant by his counsel claims that beside having shown that the prosecution have failed to establish this. they have shown that the symptoms of Homer M. Leet may be accounted for in another way. Now, if when you come to compare the evidence upon this point, when you inquire whether Homer M. Leet had really taken strychnine, it will be your duty carefully to scrutinize the evidence. I only speak of this to illustrate what will be your duty in every other part of the case, and if it should turn out that you have strong suspicions that it was strychnine he was laboring under in those days of August or that that was the occasion of his malady, yet, if the evidence on the other hand is such as to give you an equal auspicion that it was disease and not poison which affected him, it will then be your duty further to consider all the other circumstances in the case, and see if they are reconcilable upon no other hypothesis than that it was strychnine he was suffering from. Is necessary to show that, but there are nounce the prisoner guilty,) you must there such evidence to show that it had others which do not mention the form first examine the evidence, and see if the been administered to him as to support strychnine? If it may be explained to your minds that all these symptoms could be consistent with some other hypothesis, So as to the intention with which it

was administered-you should be theroughly satisfied of that. If you shall be satisfied that Homer M. Leet had in fact taken strychnine as charged,-that it had been administered to him by some one,-or if upon the other offence, Elsie A. Leet takes the strychnine,-it will not be sufficient for you to inquire who it was that did administer or prepare it, but you are confined to the inquiry whether you can say that Rollin A. Leet was the person who administered or prepared it, as the case may be. It will not do to say if it must be fastened upon some one, it may as well be upon one as another .-You have no such task. The question is, if the crime was committed did Rollin A. Leet commit it. If the evidence does not convict him, he should be acquitted. he may be innocent, and then the proposition would be that any other innocent person may as well be convicted as he.

But while I make these remarks, if you shall find that al! the circumstances go to show that Rollin A. Leet is the believe, shows the nature of the offence not sufficient to prove his guilt, they will guilty person, it will be your duty so to The law is such that the crime must

be established and must be brought home to the prisoner so as to leave no reasonable doubt in your mind. That I may not be misunderstood upon

this I will say, this rule does not mean that you shall have no doubt at all, but that you shall have no rational doubt upon the truth of the given propositions, and therefore upon the guilt of the party charged. It means that you shall arrive at so great a degree of certainty that after examining all the evidence, and weighing both that on the part of the prosecution and that on the part of the defence, you have no longer reasonable doubt, or uncertainties. If then the evidence leaves on your mind such an uncertainty as to whether the crime has been committed or whether Rollin A. Leet has committed it, you should acquit. It does not mean if you have a doubt that is got up upon mere speculative conclusions, but it means a reasonable doubt. If you come to such a degree of certainty as I have referred to you should bring in a verdict of guilty; if you have such doubts, you should acquit.

Under this indictment, gentlemen, there are seven counts. It will be necessary for you to pass upon each of these counts. If you should find the defendant guilty on all you should return a general verdict of Guilty; if not guilty on all, you should return a general verdict of Not guilty,

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